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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

STEVEN SCHWARTZ,	)	
	)	
Plaintiff,	)	NO.
	)	
v.	)	
	)	
EXPERIAN INFORMATION	)	
SOLUTIONS, INC.,	)	JURY DEMANDED
	)	
Defendant.	)	

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COMPLAINT

JURISDICTION

1. The jurisdiction of this Court attains pursuant to the FCRA, 15 U.S.C. Section 1681(p), and the doctrine of supplemental jurisdiction. Venue lies in the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose from acts of the Defendant perpetrated therein.

PRELIMINARY STATEMENT

2. The Plaintiff brings this action for damages based upon Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C § 1681 et seq. (hereinafter referred to as "FCRA"), and of state law obligations brought as supplemental claims.

3. Plaintiff is a natural person and is a resident and citizen of the State of Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the FCRA.

4. The Defendant Experian Information Solutions, Inc. ("Experian") is a corporate entity licensed to do business in the State of Nevada.

5. Experian is a consumer reporting agency, as defined in § 1681(f) of the FCRA, regularly engaged in the business of assembling, evaluating, and dispersing information concerning consumers for the purpose of furnishing consumer reports, as defined in § 1681a(d) of the FCRA, to third parties.

## FACTUAL ALLEGATIONS

6. Plaintiff's creditworthiness has been repeatedly compromised by the acts, obduracy and general indifference of the Defendant.

7. The collection account underlying this action was wrongfully assigned.

8. On December 18, 2006, the furnisher itself contacted Defendant requesting deletion (Exhibit 1).

9. On December 20, 2006, Plaintiff also contacted Defendant requesting deletion (Exhibit 2).

10. Plaintiff sent Exhibit 1 together with Exhibit 2.

11. On January 13, 2007, Defendant "verified" the collection account (Exhibit 3).

## STATEMENT OF CLAIM AS AGAINST DEFENDANT

12. In the entire course of its action, Defendant willfully and/or negligently violated the provisions of the FCRA in the following respects:

a. By willfully and/or negligently failing, in the preparation of the consumer reports concerning

1 Plaintiff, to follow reasonable procedures to assure  
2 maximum possible accuracy of the information in the  
3 reports.

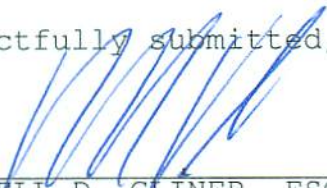
- 4 b. By willfully and/or negligently failing to comport  
5 with FCRA § 1681i.

6  
7 PRAYER FOR RELIEF

8 THEREFORE, Plaintiff prays that the court grant the following  
9 relief as against Defendant:

- 10 a. actual damages;  
11 b. punitive damages;  
12 c. attorney's fees; and  
13 d. costs.

14 Respectfully submitted,

15   
16 \_\_\_\_\_  
17 MITCHELL D. GLINER, ESQ.  
18 Nevada Bar #3419  
19 3017 West Charleston Boulevard  
20 Suite 95  
21 Las Vegas, Nevada 89102  
22 Attorney for Plaintiff  
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## Sentry Recovery and Collections

3080 S. Durango Dr.  
Suite 203  
Las Vegas, NV 89117  
Phone: 702.944.4111  
Fax: 702.933.4048

From: Ron Allen

Date Sent: 12-18-06

NAME Steven Schwartz

ACCOUNT # 289463-1

CREDITOR DESERT CARDIOLOGIST

SOCIAL # 6722^

WE ARE REQUESTING THE ABOVE ACCOUNT BE DELETED FROM EQUIFAX,  
EXPERIAN AND TRANS UNION, IT WAS PLACED IN ERROR\*\*\*\*\*

  
R ALLEN

702-944-4131

This facsimile may contain privileged and confidential information intended only for the use of the individual or Entity to which it is addressed. If the reader of the facsimile is not the intended recipient or the employee or agent Responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution Or copying of this communication is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to the above address via the postal service.

EXHIBIT 1

Steve D. Schwartz  
2499 Silver Beach Drive  
Henderson, Nevada 89052

December 20, 2006

Experian  
P.O. Box 2002  
Allen, TX 75013

Dear Sir or Madam:

There has been a negative item on my credit report which the credit reporting agency has assured me it has removed. The item in question is:

Sentry Recovery #28946301.

Please review my credit report, make sure that this item has been remove and send me a new credit report which verifies that the derogatory item is no longer listed on my report.

My social security number is: -6722<sup>X</sup> My date of birth is: 07/23/1947.

If you have any questions, my phone number is 702-617-3202, my email is: sschwartz25@cox.net.

Sincerely,

Steven D. Schwartz

EXHIBIT 2

**experian**

Prepared for  
STEVEN DAVID SCHWARTZ  
Report number  
2563945853

Report date  
January 13, 2007  
www.experian.com/disputes Page 1 of 2

## Investigation results

### About our dispute verification process

This summary shows the revision(s) made to your credit file as a result of the verification we recently completed. If you still question an item, then you may want to contact the source of the information.

The federal Fair Credit Reporting Act states that you may:

- request a description of how we verified the information, including the business name and address contacted and the telephone number if reasonably available;
- add a statement disputing the accuracy or completeness of the information; and
- request that we send these results to organizations who have reviewed your credit report in the past two years for employment purposes or six months for any other purpose.

If no information follows, our response appeared on the previous page.

0011499 1 MB 0.326 L 151  
STEVEN DAVID SCHWARTZ  
2499 SILVER BEACH DR  
HENDERSON NV 89052 2620

### How to read your results

**Deleted** - This item was removed from your credit report

**Remains Updated** - This item has been verified as accurate. A change was made to this item; review this report to view the change. If ownership of the item was disputed, then it was verified as belonging to you.

**Reviewed** - This item was either updated or deleted; review this report to learn its outcome

### Items we investigated

We completed investigating the items you disputed with the sources of the information. Here are the results:

Credit items	Outcome
SENTRY RECOVERY & COLL 2894....	Updated

Visit [experian.com/status](http://experian.com/status) to check the status of your pending disputes at any time

## Additional information

To view a full copy of your corrected credit report, visit [experian.com/viewreport](http://experian.com/viewreport).

☐ To receive a copy by mail, check this box and within 30 days return the original page to Experian, P.O. Box 9701, Allen, TX 75013. Copies will not be accepted

To order a copy of your VantageScore<sup>SM</sup> from Experian visit [experian.com](http://experian.com) or call 1 888 322 5583.

Protect and manage your credit with Credit Manager, [www.creditexpert.com](http://www.creditexpert.com)

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data furnisher (i.e., "Cancer Center") that reports your payment history to us. If so, those names display in your report, but in reports to others they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

0146445275 L-151-11499-0101100



**EXHIBIT 3**



Prepared for  
STEVEN DAVID SCHWARTZ  
Report number  
2563945853

Report date  
January 13, 2007  
www.experian.com/disputes  
Call 800 509 8495

## Credit items

--1--	<b>SENTRY RECOVERY &amp; COLLEC</b>	<i>Date opened</i>	<i>Date of status</i>	<i>Type</i>	<i>Responsibility</i>	<i>Credit limit or original amount</i>	<i>Recent balance</i>	Status: Paid, Closed/Collection account.
	1810 E SAHARA AVE STE 10	Jun 2005	Jan 2007	Collection	Individual	\$139	NA	Account history:
	LAS VEGAS NV 89104	<i>Reported since</i>	<i>Last reported</i>	<i>Terms</i>		<i>High balance</i>		Collection as of Jan 2007
	No phone number available	Jan 2007	Jan 2007	1 Months		NA		This item was verified and updated on
	<b>Partial account number</b>			<i>Monthly payment</i>				Jan 2007.
	28946301			NA				

Original creditor: DESERT CARDIOLOGY &  
VASCULAR C

